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IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
THURSDAY, THE SEVENTEENTH DAY OF JUNE
TWO THOUSAND AND FOUR
PRESENT
**THE HON'BLE MR JUSTICE N.V. RAMANA**
**WRIT PETITION NO : 9790 of 2004**

Between:
R.Vijaya W/o.Rajaram, R/o.H.No.2-3-92, Markandeya Veedhi,
Koratla proper & Mandal,Karimnagar Dist.

**..... PETITIONER**

AND

The Koratla Municipality, rep.by Commissioner, Koratla Proper & Mandal,Karimnagar Dist

**.....RESPONDENT**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue an order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondent in informing me that he is going to demolish the compound wall constructed by me on my land with due permission from the respondent through order ROC No.60, B.a.No.67 dated 20-8-2003 as arbitrary, illegal null and void and consequently direct the respondent not to demolish any portion of the compound wall and not to interfere with the compound wall constructed by me on my land purchased through registered sale deed dated 14-2-1994 admeasuring the l and 396 equal to 331.09 square metres bounded by East.Lingla Yashwanth Rao land, West. 30 ft.Road, North: 33 ft Road, south; open land, road and H.N.6-1-69, with due permission from the respondent through orders in ROC No.60, B.A. No.67 dated 20-8-2003 and to pass.

**For the Petitioner:MR.K.VENUMADHAV**

**For the Respondent : MR.R.TIMMA REDDY**

**The Court made the following Order :**

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**W.P. No. 9790 of 2004**

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Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondent-Municipality.

It is the case of the petitioner that after obtaining permission from the respondent vide permission dated 20-8-2003, when he was constructing compound wall around his plot admeasuring 396 Sq.yds, purchased vide sale deed dated 14-2-1994, the officials of the respondent visited the site and without following the due process of law threatened to demolish the compound wall. He, therefore, prays for appropriate directions restraining the officials of the respondent from interfering with his construction activity.

The learned Standing Counsel for the respondent-Municipality submitted that the petitioner merely on apprehension had filed this writ petition and that the officials of the respondent merely inspected the site.

Upon hearing the respective counsel, I am of the considered opinion that the writ petition can be disposed of with the following directions:

If the permission said to have been granted by the respondent to the petitioner for construction of compound wall is still in force, the respondent shall not interfere with the construction of the compound wall by the petitioner, and if the petitioner is constructing the compound wall unauthorizedly and without obtaining permission or the permission granted is not in force, then the respondent is at liberty to

take appropriate action against the petitioner after following the due process of law.

The writ petition is accordingly disposed of. No costs.

**Date: June 17, 2004.**
**KSR**

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To
1. The Commissioner, Koratla Municipality, Koratla,Karimnagar District.
2. 2CD copies